

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:09CV99-3-MU**

TREVON STEELE,

Plaintiffs,

v.

**JUDY SILLS; GOVERNOR MIKE
EASLEY; PAUL ROSS; BOYD
BENNETT; N.C. PRISONER LEGAL
SERVICES,**

Defendants.

ORDER

Plaintiff seek leave to file this 42 U.S.C. §1983 Complaint in forma pauperis. In his Complaint, Plaintiff alleges DOC officials have not properly calculated his sentence and that as a result, he is being falsely imprisoned.

The Prisoner Litigation Reform Act (“PLRA”) allows the court to dismiss a prisoner’s action “if the prisoner has, on 3 or more occasions, while incarcerated or detained in any facility, brought an action or an appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or for failure to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g). This subsection is known as the “three strikes” provision of the PLRA. Court records indicate that Plaintiff has filed at two previous cases in this Court which have been dismissed for failure to state a claim for relief¹ and approximately 12 cases in the Eastern District of North Carolina which have been dismissed as

¹ See 3:09cv29; 3:07cv58.

frivolous or for failure to state a claim upon which relief may be granted.²

Accordingly, Plaintiff is barred from filing this action in forma pauperis, and this suit is dismissed under 28 U.S.C. §1915(g).

SO ORDERED.

Signed: March 13, 2009

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge



² See Eastern District of North Carolina case 5:07ct3000; 5:07ct3007, 5:07ct3013; 5:07ct3018; 5:07ct3035; 5:07ct3035; 5:07ct3040; 5:07ct 3051; 5:07ct3052; 5:07ct3061; 5:07ct66; 5:06ct3138. Petitioner case no. 5:07ct3068 was dismissed because of the three strike provision. 28 U.S.C. § 1915(g).